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JAMES N. HATTEN, Clerk

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ALEXIS JAMES TRAMMELL

Petitioner,

v.

FYR SFR BORROWER LLC

Respondent,

FEDERAL COURT
CASE NO.:

STATE COURT
CASE NO.: 19D77883

1:19-CV-2120

**PETITION FOR REMOVAL AND FEDERAL STAY OF EVICTION
PURSUANT TO 28 USC 1441 (B)**

DEFENDANT, ALEXIS JAMES TRAMMELL, hereby files this Petition for Removal in the United States District Court for the Northern District of Georgia Atlanta Division of the above stated case number, **19D77883**, in the State Court of Dekalb County Georgia in accordance with the provisions of Title 28 U.S.C. 1441(b) Judiciary and Procedure. The proceedings occurring in violation of the Uniform Commercial Code of 15 U.S.C. 1692 with unlawful eviction proceedings. Pursuant to the provisions of Title 28 U.S.C. Section 1441(b) the State Court of Dekalb County shall not proceed with any eviction against the petitioner until it is remanded or so ordered from the United States District Court.

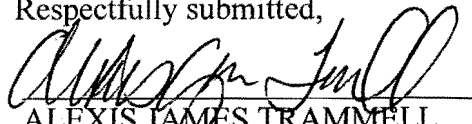
RESPONDENT, FYR SFR BORROWER, LLC., is registered in the State of Delaware, and is attempting to collect a debt in violation of the Fair Debt Collection Practices Act (FDCPA) of 1978. Accordingly, this action is removable pursuant to 28

U.S.C. 1441(b). The United States Court for the Northern District of Georgia, Atlanta Division has jurisdiction over this action pursuant to 28 U.S.C. 1331 and 28 U.S.C. 1367(a).

A copy of all process, pleadings and orders served upon defendant in the state court action are attached hereto as Exhibit "A".

WHEREFORE, DEFENDANT, ALEXIS JAMES TRAMMELL requests that this action be removed to the United States District Court for the Northern District of Georgia.

Respectfully submitted,



ALEXIS JAMES TRAMMELL
PRO SE PETITIONER

Alexis James Trammell
2864 Vining Ridge Terrace
Decatur, GA 30034

19D77883

FYR SFR Borrower LLC

MAGISTRATE COURT OF DEKALB COUNTY

DISPOSSESSORY
WARRANT

Plaintiff's Name and Address

vs.

Plaintiff's Attorney and Address

Ga. Bar No: 798589

Atty: Matthew Totten
3780 Mansell Rd. Suite 140
Alpharetta, GA. 30022

DP#: 887761

Alexis James Trammell, And All Other Occupants
2864 VINING RIDGE TER
Decatur, GA 30034

Defendant's Name and Address

Personally appeared the undersigned who upon oath says that he is AGENT for the owner of said premises, and that Defendant is in possession as tenant of premises at the above address in DeKalb County.

FURTHER:

- ☒ That said tenant fails to pay rent now due thereon;
☐ That tenant is holding said house and premises over and beyond the term for which the same was rented or leased to him;
☐ That said tenant is a tenant at sufferance;

The said owner desires and has demanded possession of said house and premises, and the same has been refused by the said defendant and affiant makes this affidavit that a warrant may issue for the removal of said defendant together with his property from said house and premises.

PLAINTIFF PRAYS:

- (a) judgment for the past due rent in the amount of \$929.00 Apr
 (b) rent accruing up to the date of judgment or vacancy at the rate of \$ \$929.00 per month
 Plaintiff Seeks Possession + 15% Attorney Fee Added if not Paid + \$63.00 Court Cost + \$450.00 Consq Exp
 (c) other \$892.46 Previous Balance

By affixing this electronic verification, oath, or affidavit to the pleading(s) submitted to the court and attaching my electronic signature hereon, I do hereby swear or affirm that the statements set forth in the above pleadings(s) are true and correct.

Affiant: /s/ Hollie Williams

Date: Apr 24th 2019

SUMMONS

TO THE MARSHAL, of the State Court of DeKalb County or his lawful deputies, GREETINGS:

The defendant herein is hereby commanded and required personally or by attorney to file with the Clerk of the Magistrate Court of DeKalb County, 2nd Floor, Suite 270, Administrative Tower, DeKalb County Courthouse, 536 N. McDonough St., Decatur, Georgia with-in seven (7) days from the date of service of the within affidavit and summons (or on the first business day thereafter if the seventh day falls on Saturday, Sunday or legal holiday) then and there to answer said affidavit in writing or orally. If such answer is not made to said affidavit on or before the 6 day of May, 20 19, a writ of possession shall issue instant as by law provided, and a judgment by default will be taken against you for all rents demanded in the complaint.

Witness, the Honorable Berry A. Anderson of said Court

Sworn to, subscribed and filed before me, this

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By: Deputy Clerk

AFFIDAVIT OF SERVICE

I have served the foregoing affidavit and summons on the Defendant(s) by delivering a copy of the same:

☐ Personally ☐ Defendant not found in the jurisdiction of this Court☐ To a person sui juris residing on the premises (Name) _____

Age _____ Wt. _____ Ht. _____

☒ By posting a copy to the door of the premises and depositing a copy in the U.S. Mail, First Class in an envelope properly addressed with adequate postage thereon, said copy containing notice to the Defendant(s) to answer at the place stated in said summons.

DATE OF SERVICE

4/29/2019

Sworn to before me